

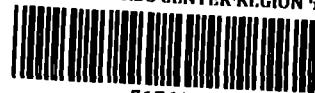


HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

ST. PAUL 55155

US EPA RECORDS CENTER REGION 5



515617

ADDRESS REPLY TO

ATTORNEY GENERAL'S OFFICE
POLLUTION CONTROL DIVISION
1935 WEST COUNTY ROAD B-2
ROSEVILLE, MN 55113
TELEPHONE (612) 296-7342

March 18, 1983

Gerald H. Bergquist
Chief Deputy Clerk
United States District Court
110 South Fourth Street
Minneapolis, MN 55401

Re: U.S. v. Reilly Tar & Chemical Corp.
File No. Civ. 4-80-469

Dear Mr. Bergquist:

Enclosed herewith for filing in the above-captioned matter are the Amended Notice of Taking Oral Deposition of Thomas Renner and Affidavit of Service.

Very truly yours,

STEPHEN SHAKMAN
Special Assistant
Attorney General

SS/ps

Enc.

cc: All counsel of record

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert H. Humphrey, III,
its Department of Health, and its
Pollution Control Agency,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

Civil No. 4-80-469

AMENDED
NOTICE OF TAKING
ORAL DEPOSITION

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

TO: James M. Rosenbaum, United States Attorney, Francis X. Hermann, Assistant United States Attorney, 110 S. 4th Street, Minneapolis, Minnesota 55401, and Erica L. Dolgin and David Hird, Attorneys, Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530; and Robert E. Leininger, Enforcement Attorney, Environmental Protection Agency, Region V, 230 S. Dearborn, Chicago, Illinois, 60604, attorneys for Plaintiff, United States of America; and

Edward J. Schwartzbauer, Becky Comstock, Michael J. Wahoske, and Dorsey & Whitney, 2200 First Bank Place East, Minneapolis, Minnesota 55402, attorneys for Defendant Reilly Tar & Chemical Corporation; and

Wayne G. Popham, Allen Hinderaker, and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402, attorneys for Plaintiff-Intervenor, City of St. Louis Park and Defendant, Housing and Redevelopment Authority of St. Louis Park, Minnesota; and

Joseph C. Vesely, Vesely, Otto, Miller & Keefe PA, Suite 203, Northwestern Bank Building, Hopkins, MN 55343, attorney for Plaintiff-Intervenor, City of Hopkins; and

Laurence A. Waldoch, Lindquist & Vennum, IDS Center, 80 South Eighth Street, Minneapolis, Minnesota 55402, attorney for Defendant, Oak Park Village Associates; and

James T. Swenson, Mackall, Crounse & Moore, 1600 TCF Tower, Minneapolis, Minnesota 55402, attorney for T.C.F. Service Corporation, successor in interest to Defendant, Rustic Oaks Condominium, Inc.; and

Thomas W. Wexler, Peterson, Engberg & Peterson, 700 Title Insurance Building, Minneapolis, Minnesota 55401, attorney for Defendant Philip's Investment Company.

PLEASE TAKE NOTICE that at 10:00 a.m. on Tuesday, May 3, 1983, at the Board Room of the Minnesota Pollution Control Agency, 1935 West County Road B-2, Roseville, Minnesota, the deposition of Thomas Renner will be taken.

This deposition will be taken upon oral examination, before a Notary Public, or before some other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

Dated: March 18, 1983.

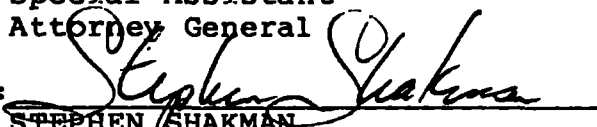
Respectfully submitted

HUBERT H. HUMPHREY, III
Attorney General
State of Minnesota

PAUL G. ZERBY
Special Assistant
Attorney General

DENNIS M. COYNE
Special Assistant
Attorney General

BY:


STEPHEN SHAKMAN
Special Assistant
Attorney General

ATTORNEYS FOR THE
STATE OF MINNESOTA
1935 West County Road B2
Roseville, Minnesota 55113
Tel. (612) 296-7342

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert H. Humphrey, III,
its Department of Health, and its
Pollution Control Agency,

Civil No. 4-80-469

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

AFFIDAVIT OF
SERVICE BY MAIL

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Patricia Schwarz, being duly sworn on oath, deposes and says that in the City of Roseville, County of Ramsey, State of Minnesota, on the 18th day of March, 1983, she served the Amended Notice of Taking Oral Deposition of Thomas Renner by depositing in the United States mail at said City of Roseville, true and correct copies thereof, properly enveloped, with postage prepaid, and addressed to those named below:

James M. Rosenbaum
United States Attorney
Francis X. Hermann
Assistant United States Attorney
110 S. 4th Street
Minneapolis, MN 55401

Erica L. Dolgin
David Hird
Environmental Enforcement Section
Land and Natural Resources Div.
Department of Justice
Washington, D.C. 20530

Robert E. Leininger
Enforcement Attorney
Environmental Protection Agency
Region V
230 S. Dearborn
Chicago, Illinois 60604

Laurence A. Waldoch
Lindquist & Venum
IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402

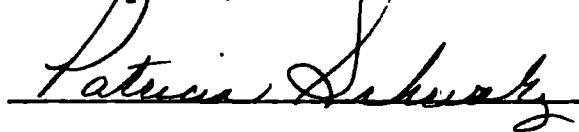
James T. Swenson
Mackall, Crounse & Moore
1600 TCF Tower
Minneapolis, Minnesota 55402

Edward J. Schwartzbauer
Becky Comstock
Michael J. Wahoske
Dorsey & Whitney
2200 First Bank Place East
Minneapolis, MN 55402

Wayne G. Popham
Allen Hinderaker
Popham, Haik, Schnobrich,
Kaufman & Doty, Ltd.
4344 IDS Center
Minneapolis, MN 55402

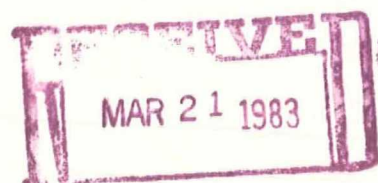
Joseph C. Vesely
Vesely, Otto, Miller & Keefe, PA
Suite 203
Northwestern Bank Building
Hopkins, MN 55343

Thomas W. Wexler
Peterson, Engberg & Peterson
700 Title Insurance Building
Minneapolis, MN 55401



Subscribed and sworn to before me
this 18th day of March, 1983


Notary Public



OFFICE OF REGIONAL COUNSEL
EPA - REGION V